## INFORMATION DISCLOSURE STATEMENT BY APPLICANT ( Not for submission under 37 CFR 1.99)

|  | Application Number     |       | 10564873           |  |
|--|------------------------|-------|--------------------|--|
|  | Filing Date            |       | 2006-01-17         |  |
|  | First Named Inventor   | Richa | ard Fargo          |  |
|  | Art Unit               |       | 3654               |  |
|  | Examiner Name          | Kruer | Stefan             |  |
|  | Attorney Docket Number |       | 60469-250; 05166US |  |

## CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

|          | That each item of information contained in the information disclosure statement was first cited in any communication    |
|----------|---|
| $\times$ | from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the |
|          |   |

OR

| That no item of information contained in the information disclosure statement was cited in a communication from a         |
|---|
| foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification |
| after making reasonable inquiry, no item of information contained in the information disclosure statement was known to    |
| any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure      |
| statement, See 37 CFR 1.97(e)(2).   |

- See attached certification statement.
- Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- □ None

## SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| om or the signature. |                   |                     |            |  |  |
|----------------------|-------------------|---------------------|------------|--|--|
| Signature            | /David J. Gaskey/ | Date (YYYY-MM-DD)   | 2009-03-26 |  |  |
| Name/Print           | David J. Gaskey   | Registration Number | 37 139     |  |  |

This collection of information is required by 3T CFR 1.87 and 1.98. The information is required to obtain or retain a benefit by the public which is to file fand by the USPTO to process) an application. Confidentially is governed by \$5 U.S. C. 12.04 and 3T CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application from the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradenary Officer, U.S. perpartment of Commence, P. 0. Box 1445, Alexandria, V.3.2311-4450. DN OTS END FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, V.3.2313-1450.

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The Privacy Act of 1974 (P. L. 93-579) requires that you be given certain information in connection with your submission of the stackhold from related to a patient application or patient. Accordingly, pursuant to the requirements of the Act, places be advised that (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) familishing of the information solicided is couldrain; and (3) the primoral purpuses for which the information is used by the U.S. Patient and Trademan Collection is to process and/or examine your submission related to a patient application or patient. If you do not furnish the requested process and/or examine your submission related to a patient application or patient. If you do not furnish the requested requirement of the process and the patient of the patient application of the patient activities, which may result in farministion of proceedings or 4 anahoroment of the application of the patients of the patie

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these cords.
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  - A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record perfains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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  which became abandoned or in which the proceedings were terminated and which application is referenced by either a
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